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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/722,465

11/28/2003

Jong Seok Kim

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EXAMINER

PATEL, RITA RAMESH

ART UNIT

PAPER NUMBER

1746

NOTIFICATION DATE

DELIVERY MODE

08/22/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

| | | | |
|------------------------------|-----------------|--------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/722,465 | KIM ET AL. | |
| | Examiner | Art Unit | |
| | Rita R. Patel | 1746 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7-10 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7-10 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/9/07 has been entered.

Response to Applicant's Arguments / Amendments

2. This Office Action is responsive to the amendment filed on 6/26/07. Claims 1, 3-5, 7-10, and 17 are pending. Claims 1, 3, 7, 10, and 17 have been amended. Claims 2, 6, 11-16, and 18-20 have been cancelled.

In light of the amendments to the claims, filed on 6/26/07, the former rejection over Wunderlich (US Patent No. 6,327,729) has been withdrawn. However, upon further consideration, the instant claims are rejected under new grounds of rejections and thus claims 1, 3-5, 7-10, and 17 are finally rejected for the reasons of record.

Applicant's Remarks filed 6/26/07 are drawn to the former rejection and are now considered moot because of a new grounds of rejection taught herein.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3, 4, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Beare et al. herein referred to as “Beare” (US Patent No. 3,762,608).

Beare teaches a washing machine having a cabinet top plate 10 with an opening 16 therein, a wash basket 17, a detergent dispenser 18 with a hingedly attached cover 26, and a loading hole formed by inner walls 80, 82, 84, and 86. Ridges 40 (insertion groove) form a channel for positioning and retaining a gasket means (packing means) in the event a positive seal is desired between the dispenser body and cabinet type (col. 3, lines 55 and 57-60).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5 and 7-9 are rejected under 35 U.S.C. 103(a) as being obvious over Beare as taught supra.

Beare teaches the claimed invention, except fails to teach the packing means to be provided at the bottom of the lid frame. Although Beare indicated the gasket means are located under the lid frame, it would have been obvious to one of ordinary skill in the art at the time of the invention to extend the packing means of Beare 40 to traverse the bottom of the lid, to keep water from flowing out of the dispenser. Overflow/spillage is undesirable in the art of washing machines.

Moreover, in re Applicant's claims for a first gasket and a second gasket, it is well settled that the mere duplication of parts has no patentable significance unless a new and unexpected result is produced. *In re Harza*, 124 USPQ 378 (CCPA 1960). Providing duplicate gaskets merely ensures better sealing means to help prevent fluid from leaking. It would have been obvious to one of ordinary skill in the art at the time of the invention to have a first and second gasket in the Beare invention to achieve enhanced and more effective sealing.

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beare as applied to claim 17 above, and further in view of Faccoli (US Patent No. 5,709,390).

Beare teaches the claim invention except fails to teach the exact means of connection of the gasket onto the insertion groove. However, insertion grooves for connecting the gasket to the insertion groove would have been an obvious form of connection as sealing such packing must be impervious to leakage, as known for achieving said functions in the art by this form of gasket connection. Faccoli teaches an elastomeric sealing gasket of continuous length for cooking oven doors. A protruding

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element extending from an adjacent metal wall can be bent to form a hook able to engage in apertures provided in the oven. The hooks facilitate the bending of the gasket to follow a corner of the oven door and facilitate proper positioning of the hook and gasket. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate said feature of Faccoli to Cerruti for achieving a well-connected gasket thereon the door of a household appliance which is used to prevent leakage therefrom.

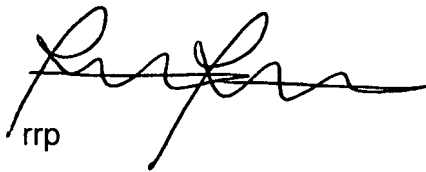
Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rita R. Patel whose telephone number is (571) 272-8701. The examiner can normally be reached on M-F: 8-5.

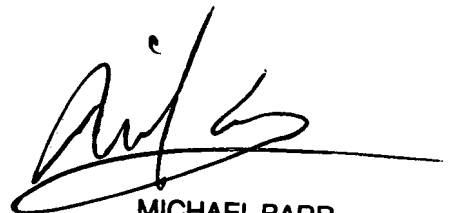
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



rrp



MICHAEL BARR
SUPERVISORY PATENT EXAMINER